

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
CHARLOTTESVILLE DIVISION**

<b>UNITED STATES OF AMERICA,</b>	)	<b>Criminal Case No. 3:95cr00051-1</b>
	)	
<b>v.</b>	)	<b>By: Norman K. Moon</b>
	)	<b>Senior United States District Judge</b>
<b>DAMIEN NELSON.</b>	)	
	)	<b><u>2255 FINAL ORDER</u></b>

In accordance with the Memorandum Opinion entered this day, it is hereby **ORDERED** and **ADJUDGED** that Nelson's motion to vacate, set aside, or correct sentence, pursuant to 28 U.S.C. § 2255 is **DISMISSED** and this action is **STRICKEN** from the active docket of the court.

Further, finding that Nelson has failed to make a substantial showing of the denial of a constitutional right as required by 28 U.S.C. § 2253(c)(1), a certificate of appealability is **DENIED**.

The Clerk of the Court is directed to send a copy of this Order and the accompanying Memorandum Opinion to the Nelson.

**ENTER:** This <sup>23<sup>rd</sup></sup> day of August, 2010.

  
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NORMAN K. MOON  
SENIOR UNITED STATES DISTRICT JUDGE